

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 ACDA-12 CIAE-00 INR-07 IO-13 L-03
NSAE-00 NSC-05 EB-08 NRC-05 OES-07 SOE-02 DODE-00
DOE-11 SS-15 SP-02 PM-05 /108 W
-----065193 192142Z /73

R 192007Z JAN 78
FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC 4371
INFO ALL EC CAPITALS
AMEMBASSY VIENNA

C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 01166

USEEC

VIENNA FOR USIAEA

E.O. 11652: GDS
TAGS: ENRG, TECH, EEC
SUBJECT: U.S.-EURATOM NEGOTIATIONS

1. AMBASSADOR RIBERHOLDT, DANISH PERMANENT REPRESENTATIVE TO THE EC AND PRESENTLY CHAIRMAN OF COREPER, AND I HAVE RECENTLY DISCUSSED SOME ISSUES POSED BY THE U.S. NOTE OF LAST OCTOBER REQUESTING COMMUNITY AGREEMENT TO OPEN NEGOTIATIONS FOR REVISION OF THE U.S.-EURATOM AGREEMENT FOR COOPERATION. RIBERHOLDT ASKED FOR AND RECEIVED MY EXPLANATION OF THE SITUATION. HE SAID THE DANISH PRESIDENCY HAD THE COMMISSION RECOMMENDATION FOR A FAVORABLE RESPONSE UNDER REVIEW. HE ADDED THAT DENMARK UNDERSTOOD AND SUPPORTED OUR PROPOSAL BUT HAD DECIDED IT WOULD BE INOPPORTUNE TO SEEK AN EC COUNCIL DECISION IN JANUARY.

2. RIBERHOLDT ASKED IF THIS ISSUE HAD BEEN DISCUSSED DURING PRESIDENT CARTER'S VISIT TO PARIS. I REPLIED THAT I ASSUMED SO BUT THAT I DID NOT REALLY KNOW. (I
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WOULD APPRECIATE A READING FROM WASHINGTON ON THIS POINT.) I CONFIRMED TO RIBERHOLDT THAT THE PRESIDENT, DURING HIS VISIT HERE, HAD MENTIONED TO THE COMMISSION OUR PENDING NON-PROLIFERATION LAW, HIS SUPPORT FOR IT, AND HIS EXPECTATION THAT CONSULTATIONS WITH THE COMMUNITY WOULD LEAD TO A MUTUALLY SATISFACTORY OUTCOME.

3. RIBERHOLDT READ TO ME FROM A FRENCH STATEMENT TO THE COUNCIL, IN WHICH THE FRENCH ALLEGED THAT THE COMMUNITY SHOULD NOT AGREE TO THE NEGOTIATIONS BECAUSE THEY WOULD BE CONTRARY TO AN ASSURANCE GIVEN THEM BY THE AMERICAN GOVERNMENT THAT, IF THE FRENCH GOVERNMENT PARTICIPATED

IN THE NUCLEAR FUEL CYCLE EVALUATION, THERE WOULD BE NO "ENTRAVES" (HOBBLER) PLACED ON FRANCE'S FREEDOM IN THE NUCLEAR AREA IN THE COURSE OF INFCE. I COMMENTED THAT THAT FORMULATION COULD BE RECONCILED WITH THE REQUEST FOR NEGOTIATIONS SINCE THE NEGOTIATIONS DID NOT NECESSARILY HAVE TO TERMINATE DURING THE PERIOD OF INFCE. INDEED, THE ADMINISTRATION HAD OBTAINED WAIVER AUTHORITY IN THE DRAFT LEGISLATION WHICH WOULD PERMIT THE NEGOTIATIONS TO GO BEYOND INFCE. RIBERHOLDT REPLIED, "YES," BUT THE FRENCH WERE SAYING THAT PASSAGE OF THE LAW ITSELF AND THE PRESIDENT'S SIGNATURE THEREOF WOULD CONSTITUTE AN UNWARRANTED "ENTRAVE."

4. RIBERHOLDT SAID THERE WAS A BODY OF OPINION IN THE COMMUNITY THAT THOUGHT THAT U.S. LEGISLATION MIGHT NOT PASS AND THAT THEREFORE THERE WAS NO NEED TO DECIDE, AT LEAST UNTIL CONGRESS ACTED. ON THIS I SAID THERE WAS EVERY REASON TO BELIEVE THE LEGISLATION WOULD PASS.
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THE DANGER OF WAITING WAS THAT THIS COULD RESULT IN CONFRONTATION AND THE FRENCH AND OTHERS MIGHT OBJECT TO NEGOTIATING UNDER DURESS. IT WOULD BE WELL, THEREFORE, I THOUGHT, TO INDICATE COMMUNITY WILLINGNESS TO NEGOTIATE IN ADVANCE WITHOUT PREJUDICE TO EC SUBSTANTIVE POSITIONS-- THE NORMAL PROCEDURE BETWEEN CLOSE FRIENDS.

5. RIBERHOLDT THOUGHT THERE MIGHT BE A MIDDLE GROUND. IF CHANGES WERE MADE TO THE BILL IN THE SENATE NECESSITATING A CONFERENCE COMMITTEE, THE COMMUNITY COULD TRY TO GET ITS ANSWER TO US AFTER PASSAGE WAS CLEARLY ASSURED BUT BEFORE SIGNATURE BY THE PRESIDENT. HE THOUGHT THE GERMANS AND BELGIANS WOULD DROP THEIR OPPOSITION IN SUCH CIRCUMSTANCES, LEAVING THE FRENCH ISOLATED. AT DINNER WITH BOSWORTH AND ME JAN. 17, RIBERHOLDT RETURNED TO THIS IDEA AND ERSBOLL WHO WAS ALSO PRESENT SEEMED TO BE IN AGREEMENT AND ASKED FOR OUR BEST ESTIMATE OF TIMING OF LEGISLATIVE ACTION AND SIGNATURE.

6. IN A SEPARATE EARLIER CONVERSATION WITH THE FRENCH AMBASSADOR, LA BARRE DE NANTEUIL INSISTED THAT THE PROPOSED LEGISLATION WAS CONTRARY TO ASSURANCES GIVEN

SOUTOU BY SMITH AND SAID HE DID NOT BELIEVE THE PRESIDENT HAD TO SIGN THE LAW OR THAT HE WOULD HAVE TO ENFORCE IT IF IT WERE SIGNED. TO WHICH I REPLIED THAT HIS SUGGESTIONS WERE NOT POLITICALLY REALISTIC AS FAR AS THE U.S. IS CONCERNED AND TRIED TO EXPLAIN THE DANGERS TO

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ALL EC CAPITALS
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C O N F I D E N T I A L SECTION 02 OF 02 BRUSSELS 01166

USEEC, VIENNA FOR USIAEA

OUR RELATIONS I THOUGHT COULD FLOW FROM A COMMUNITY MISCALCULATION. HE SHOWED UNDERSTANDING FOR SOME OF MY POINTS, AGREEING THERE WAS NEED FOR REFLECTION, BUT ALSO POINTING OUT THAT OUR NON-PROLIFERATION OBJECTIVES AND TACTICS, E.G., LICENSING DELAYS, HAD NOT INSPIRED EUROPEAN TRUST. HE WONDERED IF THE TIME HAD NOT COME FOR FRANCE TO DRAW THE LINE.

7. COMMENT: WHILE IT IS HARD FOR ME TO ENVISION THE COMMUNITY NOT AGREEING FAIRLY QUICKLY TO NEGOTIATE IF WE IN FACT STOP LICENSING HEU EXPORTS, WE COULD BE IN FOR SOME UNPLEASANTNESS.

8. ACTION REQUEST: GUIDANCE AS TO WHAT MORE I MIGHT USEFULLY SAY TO RIBERHOLDT, INCLUDING AN UPDATED WASHINGTON ASSESSMENT OF FRENCH POSITION, AN ESTIMATE OF WHEN CONGRESS WILL ACT, AND COMMENT ON THE FEASIBILITY OF THE CONFERENCE COMMITTEE IDEA. HINTON

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